IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 22860 of 1995, 14843 of 1994, 22868 of 1995, 22859 of 1995 and 16510 of 1994

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WP.No.22860 of 1995:

Between:

1 Godavari Satyanarayana Sastry, S/O Rama Rao
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
2 G.Rama Rao S/O Satyanarayana Satry
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
3 Kondaparva Venkata Lingam S/O Veera Badrudu
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
4 Kundeti Naganna S/O Ganaiah
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
5 Godavari Ramalaxmi W/O Rama Rao
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
6 Kundeti Laxmaiah S/O Gangaiah
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
7 Kondaparya Veerabhadrachari S/O Veera Bhadrudu
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
8 Mamilla Ramulu S/O Naganna
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

9 Godavari Suramma, W/O Satyanarayana Sastry,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

10 Kakkirala Kamareswar Rao, S/O Ramadandu,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

11 Kundeti Ramulu, S/O Gangaiah,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

12 Kondaparva Koteswar Rao S/O Venkata Lingam
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

13 Kundeti Venkanna S/O Gangaiah,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

14 kesaboyina Gopala Swamy S/o Mangaiah
R/o Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

15 kesaboyina Muttaiah S/o Devaiah,
R/o Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

16 Godavari Bangaru Laxmi W/o Maharshi,
R/o Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

17 Talluri Subba Rao S/o Panakalu,
R/o Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

18 Kondaparva Satyanarayana S/O Veerabhadrudu
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

19 Mamilla Bale Ramudu S/o Venkata Ramudu,
R/o Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

20 Talluri Durga Rao S/O Subba Rao,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

21 G.V.N Zogi Raju S/O Satyanarayana Sastry,

R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
22 Talluri Surya Rao S/O Subba Rao,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
23 Mahankali Satyanarayanamma W/O Rama Rao,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
24 Unnamatla Anantha Laxmi W/O Brahma Devudu,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.
25 Chodisetti Subba Ramulu S/O Satti Raju,
R/O Thatiyakulagudem Village, Jeelugumilli Mandal, West

Godavari District.

..... PETITIONERS

And

1 The Union of India rep.by its Secretary (law) Department.
Sastry Bhavan New Delhi.
2 The Govt. of Andhra Pradesh rep by its Secretary, Social

Welfare Departement, Secreteriat Buildings Hyderabad.
3 The District. Collector, West Godavari District.

4 The Special Deputy Collector (Tribal Welfare),
Kotaramachandra Puram Agency Area West Godavari

District.
5 The Mandal, Revenue Officer,
Jeelugumulli (M) West Godavari(D)

.....RESPONDENTS

Petition under article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the high court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of "Mandamus" declaring that the inclusion of petitioners villages Thatiyakula Gudem & Khandrikapadu of Jeelugumilli (m) West Godavari District. in the schedule areas as illegal & without jurisdiction and that the provisions of A.P schedule areas land transfer regulation no. 1 of 1959 as amended by Regulation No.1 of 1970 do not apply to the petitioners villages or to any lands in their villages or more particularly to any one of the petitioners herein or the lands held by them.

Counsel for the Petitionerss:MR.S.NIRANJAN REDDY

Counsel for the Respondents : GP FOR SOCIAL WELFARE

WRIT PETITION NO : 14843 of 1994

Between:

Chitturi Venkata Rao S/o. Sreeramulu
R/o. Ganapavaram Village, Buthaigudem Mandal, West Godavari District.

..... PETITIONER

AND

1 The Union of India, rep. by its Secretary, (Law)

Department, Sastry Bhavan, New Delhi.
2 The Government of Andhra Pradesh rep. by its

Secretary. Social Welfare Department,
Secretariat Buildings, Hyderabad.
3 The District. Collector West Godavari District.
4 The Special Deputy Collector (Dismissed) Eluru, West

Godavari District.
(The case against R4 is Dismissed for default vide court

order, dated 20/3/01.)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of 'Writ of Mandamus' declaring that the inclusion of the petitioner village Ganapavaram, Buthaigudem, Revenue Mandal, West Godavari District. in the Schedule Areas as illegal, without jurisdiction and that the provisions of the Andhra Pradesh Scheduled Areas Land Transfer Regulation No.1 of 1959 as amended by Regulation No.1 of 1970 do not apply to the petitioner's village or to any land in petitioner's village or the lands held by the petitioner.

Counsel for the Petitioner:MR.K.PRATAP REDDY

Counsel for the Respondents.: GP FOR SOCIAL WELFARE

WRIT PETITION NO : 22868 of 1995

Between:

1. Daggumilli Rama Rao, s/o Ramulu,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
2 Samayamentula Sarveswara Rao, s/o. Ranga Rao,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
3 Mamilla Veeraiah, S/o.Suraiah,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
4 Palagani Venkateswar Rao. S/o. Siddiyya,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
5 Kukati Brahmadevudu, S/o. Mukkaiah

R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
6 Nali Raghavulu, S/o. Somaiah,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
7 Parepalli Sarveswara Rao, S/o.Sattiyya,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
8. Shaik Nagur Saheb, S/o.Hussain Saheb,

aged about 45 years.

9 Daggumilli Veeranna, S/o. Maddi Ramaih,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
10 Bachala Durga S/o.Ayyanna,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
11 Palagani Durgamma, S/o.Venkateswar Rao,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
12 Daggumilli Venkateswar Rao, S/o.Ramulu,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
13 Daggumilli Rama Rao, S/o. Chinna Ramulu,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
14 Bachala Sarvaiah, S/o.Ayyanna,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.
15 Samayamantula Ramakrishna Rao, S/o Ayyanna,
R/o. Pankampalem (v), Jeelugumilli Mandal,
W.G.District.

..... PETITIONERS

AND

1 The Union of India, rep its secrt (law) dept.,
Sastry Bhavan, New Delhi.
2 The Govt. of A.P., rep. by its Secretary, Social Welfare

Department, Secretariat Buildings, Hyderabad
3 The District. Collector,
W.G.District.
4 The Special Deputy Collector(Tribal Welfare)
Kotaramachandrapuram Agency Area, W.G.District.
5 The Mandal, Revenue Officer,
Jeelugumiilli Mandal, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature or writ of "Mandamus" declaring that the inclusion of petitioners village P.Ankampalem of Jeelugumilli Mandal,am, W.G.Dist, in the schedule areas as illegal, without jurisdiction and that the provisions of A.P.Schedule areas land transfer regulation no.1 of 1959 as amended by regulation no.1 of 1970 do not apply to petitioners village or to any lands in their village or more particularly to any one of the petitioners herein or the lands held by them.

Counsel for the Petitioner:SMT.SUMALINI REDDY

Counsel for the Respondent.: GP FOR SOCIAL WELFARE

WRIT PETITION NO : 22859 of 1995

Between:

1 Bachala Satyanarayana Rao, S/o. Ayyana, Rep. By Its

Secretary(Law) Deprtment,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,
W.G.District.
2 Perabattula Venkata Ratnam, S/O. Punnaiah,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
3 P.Venkateswara Rao, S/O. Siddiyya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
4 P.Ramakrishna, S/O. Siddiyya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
5 N.Venkata Narsamma, W/O.Mutyala Raju,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
6 P.Ganga Raju, S/O.Bulliyya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist
7 P.Mahalaxmi, W/O.Veeravenkayya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
8 P.Nageswara Rao, S/O.V.Venkayya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
9 P.Venkataswamy, S/O.V.Venkayya
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
10 P.Venkateswara Rao, S/O.V.Venkayya
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
11 Samayamantula Seeta Ravamma, W/o.Sarvaiah,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
12 P.Nagabhushanam, W/O.Siddaiah,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
13 P.China Muniyya, S/O.Narasayya,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.
14 Vegesna.Keshava Raju, S/O.Atchutarama Raju,
R/O. P.Narayanapuram Village, Jeelugumilli Mandal,

W.G.Dist.

..... PETITIONERS

AND

1 The Union Of India, Rep. By Its Secretary (Law) Deprtment,
Sastry Bhavan, New Dehli.
2 The Govt. Of A.P., Rep. By Its Secretary Social Welfare

Dept, Secretariat Bulidings, Hyderabad.
3 The District. Collector,
W.G.Dist.
4 The Special Deputy Collector (Tribal Welfare)
Kotaramachandrapuram Agency Area, W.G.Dist
5 The Mandal, Revenue Officer,
Jeelugumilli Mandal, W.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particular one in the nature of writ of "Mandamus' declaring that the inclusion of petitioners village P.Narayanapuram of Jeelugumilli Mandal,am, W.G.Dist., in the schedule areas as illegal, without jurisdiction and the provisions of AP. schedule areas land transfer regulation no.1/1959 as amendment by Regulation No.1 of 1970 do not apply to their village or to any lands in their village or more particularly to any one of the petitioners herein or the lands held by them.

Counsel for the Petitioner:SMT.SUMALINI REDDY

Counsel for the Respondents .: GP FOR SOCIAL WELFARE

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WRIT PETITION NO : 16510 of 1994

Between:

Nadipalli Trinadha Ramanjaneyulu, S/o. Veeranna.
Bullaigudem Road, Jangareddigudem,
West Godavari.

..... PETITIONER

AND

1 Union of India, Rep. Secretary.
Law Dept., Sastry Bhavan,
New Delhi.
2 The Govt. of A.P., Rep by its Secretary.
Tribal Welfare, Secretariat,
Hyderabad.
3 The District Collector, Eluru,
West Godavari.
4 The Special Deputy Collector, Tribal Welfare,
Kotaramachandrapuram, West Godavari District.
(Cause title is amended as per common order dated
30-9-1994 in WP.MP.No.21448 of 1994).

5. The Mandal Revenue Officer, Buttaigudem Mandal, West

Godavari District.

6. The village Administrative Officer, Ganapavaram Village,

Buttaigudem Mandal, West Godavari District.

(The respondents 5 & 6 are impleaded as per Court order

dated 14-11-1995 in WP.MP.No.22968 of 1995).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring that the inclusion of our Village Ganapavaram, Jeelugumilli Revenue Mandal, West Godavari District in the Schedule Areas as illegal and without jurisdiction and that the provisions of the A.P. Schedule Areas Land Transfer Regulation No.1/1959 as amended by Regulation No.1 of 1970 do not apply to petitioner's Village or to any land in Petitioner's village or more particularly to any of the petitioner herein or the lands held by the Petitioner.

Counsel for the Petitioner:MR.K.L.N.SWAMY

Counsel for the Respondent No.: GP FOR SOCIAL WELFARE

The Court made the following :

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COMMON ORDER :

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It is represented by the learned counsel for the petitioners that similar matters were already disposed by a Division Bench of this Court in W.P.No.7337 of 1992, dated
29-10-1997.

2. Following the said decision, the writ petitions are dismissed. However, it is left open to the petitioners to make a representation to the Governor, if they so choose.

G.Bikshapathy, J.

Dated 24th February, 2005.

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WP.No.22860 of 1995:

To

1 The Secretary, Union of India (law) Department.
Sastry Bhavan New Delhi.
2 The Secretary, The Govt. of Andhra Pradesh Social

Welfare Departement, Secreteriat Buildings Hyderabad.
3 The District. Collector, West Godavari District.

4 The Special Deputy Collector (Tribal Welfare),
Kotaramachandra Puram Agency Area West Godavari

District.
5 The Mandal, Revenue Officer,
Jeelugumulli (M) West Godavari(D)

6. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

7. Two CD copies.

WRIT PETITION NO : 14843 of 1994

To

1 The Secretary,

Union of India, (Law) Department, Sastry Bhavan,

New Delhi.
2 The Secretary, Government of Andhra Pradesh Social

Welfare Department, Secretariat Buildings, Hyderabad.
3 The District. Collector West Godavari District.
4 The Special Deputy Collector (Dismissed) Eluru, West

Godavari District. (The case against R4 is Dismissed for

default vide court order, dated 20/3/01.)

5. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

6. Two CD copies.

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WRIT PETITION NO : 22868 of 1995

To

1 The Secretary, Union of India,(law) dept.,
Sastry Bhavan, New Delhi.
2 The Secretary, Govt. of A.P.,
Secretariat Buildings, Hyderabad
3 The District. Collector,
W.G.District.
4 The Special Deputy Collector(Tribal Welfare)
Kotaramachandrapuram Agency Area, W.G.District.
5 The Mandal, Revenue Officer,
Jeelugumiilli Mandal, W.G.District.

6. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

7. Two CD copies.

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WRIT PETITION NO : 22859 of 1995

To

1 The Secretary, Union Of India, (Law) Deprtment,
Sastry Bhavan, New Dehli.
2 The Secretary, Govt. Of A.P., Social Welfare

Dept, Secretariat Bulidings, Hyderabad.
3 The District. Collector,
W.G.Dist.
4 The Special Deputy Collector (Tribal Welfare)
Kotaramachandrapuram Agency Area, W.G.Dist
5 The Mandal, Revenue Officer,
Jeelugumilli Mandal, W.G.Dist.

6. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

7. Two CD copies.

WRIT PETITION NO : 16510 of 1994

To

1 The Secretary, Union of India,Law Dept., Sastry Bhavan,
New Delhi.
2 The Secretary, Govt. of A.P.,
Tribal Welfare, Secretariat,
Hyderabad.
3 The District Collector, Eluru,
West Godavari.
4 The Special Deputy Collector, Tribal Welfare,
Kotaramachandrapuram, West Godavari District.
5. The Mandal Revenue Officer, Buttaigudem Mandal, West

Godavari District.

6. The village Administrative Officer, Ganapavaram Village,

Buttaigudem Mandal, West Godavari District.

7. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

8. Two CD copies.